

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOHN R. MACLEAN, INDIVIDUALLY
ON BEHALF OF HIMSELF AND ALL
OTHERS SIMILARLY SITUATED,

Plaintiffs,

VS.

ARENTHZ LAW GROUP, ATTORNEYS AT
LAW, P.L.L.C., ET AL.,

Defendants.

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NO. 4:16-CV-797-A

ORDER

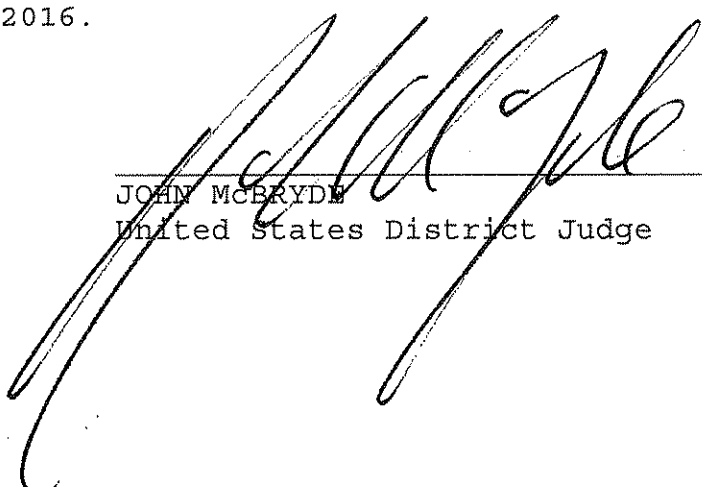
Came on for consideration the motion of defendants, Arentz Law Group, Attorneys at Law, PLLC, Arentz Law Group, PC, and the Johnston Law Group, to dismiss plaintiff's first amended complaint. The court, having considered the motion, the response of plaintiff, John R. Maclean, the record, and applicable authorities, finds that the motion should be denied. It appears that the relief sought would more appropriately be the subject of a motion for summary judgment.

The court notes that plaintiff purports to bring this action on behalf of himself and all others similarly situated. However, he failed to timely file his motion for class certification. Local Civil Rule 23.2. Accordingly, the court will not entertain a motion for class certification and the action will be tried as to plaintiff's individual claims only.

The court ORDERS that defendants' motion to dismiss be, and is hereby, denied.

The court further ORDERS that plaintiff's request for class certification be, and is hereby, denied.

SIGNED December 9, 2016.



JOHN MCBRYDE
United States District Judge